IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF TEXAS TYLER DIVISION

AARON KEITH ET AL., Individually and On Behalf of All	§ 8	
Others Similarly Situated,	§	
• ,	§	
Plaintiff,	§	
	§	CIVIL ACTION NO. 6:16-CV-1302
	§	RWS-JDL
v.	§	
	§	
JOYCE STEEL ERECTION, LTD.,	§	
ET AL,	§	
	§	
Defendant.	§	

ORDER

One June 14, 2017, the District Judge adopted this Court's Report and Recommendation to grant-in-part Plaintiff's Motion for Conditional Certification. (*See* Doc. No. 36.) Pursuant to the Order, the collective action is certified as follows:

- (1) All current and former Crane Operators who were paid on an hourly basis, and were employed by Joyce Steel Erection, Ltd.at any time within the three-year period immediately preceding entry of the District Judge's Order granting conditional certification.
- (2) All current and former Riggers who were paid on an hourly basis, and were employed by Joyce Steel Erection, Ltd. at any time within the three-year period immediately preceding entry of the District Judge's Order granting conditional certification.

In his Motion, Plaintiff also sought the following:

- (1) Approval of Plaintiff's proposed Notice and Opt-In Consent Forms and mailing envelopes (Doc. No. 28-1, Exs. D-F; Doc. No. 28-2 (Plaintiff's Proposed Order), ¶3);
- (2) An order for Defendants to produce to Plaintiff's Counsel the names and contact information, including e-mail addresses, for all Potential Plaintiffs (Doc. No. 28, at 10; Doc. No. 28-2 (Plaintiff's Proposed Order), ¶2);
- (3) Authorization for Plaintiff to send the proposed notice and consent forms to all Potential Plaintiffs, including by mail and e-mail (Doc. No. 28, at 10; Doc. No. 28-2 (Plaintiff's Proposed Order), ¶3);
- (4) An opt-in period of 75 days from the date of the entry of the certification order (Doc. No. 28-2 (Plaintiff's Proposed Order), ¶3);
- (5) An order for Defendants to post a copy of the Notice "on a bulletin board or otherwise prominently display the notice in the break room or other common area of its main office as well as each of its field offices" (Doc. No. 28-2 (Plaintiff's Proposed Order), ¶4);
- (6) An order that Defendants "shall not email, mail, or use any other method of communication to directly or indirectly discuss any aspect of this lawsuit with any member" of the defined class (Doc. No. 28-2 (Plaintiff's Proposed Order), ¶4).

The Court hereby **ORDERS** the parties to meet and confer on the matters enumerated above, and to jointly file agreed terms for the same no later than **14 days** from the date of this Order. If the parties are unable to agree to one or more of the terms, the parties must indicate their disagreement in their joint filing by including the topic at issue and inserting:

[Plaintiff's Proposal: provide a description of the proposal and an explanation of why the proposal is sought as well as an explanation of the concerns with Defendants' proposal.]

[**Defendants' Proposal:** provide a description of the proposal and an explanation of why the proposal is sought as well as an explanation of the concerns with Plaintiff's proposal.]

The Court will issue a ruling on any disputed terms. The Court advises the parties to make best efforts to minimize their disputes so that the terms can be finalized in a timely manner.

So ORDERED and SIGNED this 15th day of June, 2017.

JOHN D. LOVE UNITED STATES MAGISTRATE JUDGE